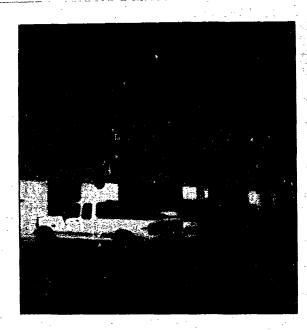
ZB# 00-01

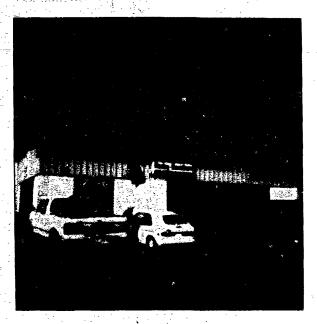
Jim Moroney's, Inc.

4-1-9.22

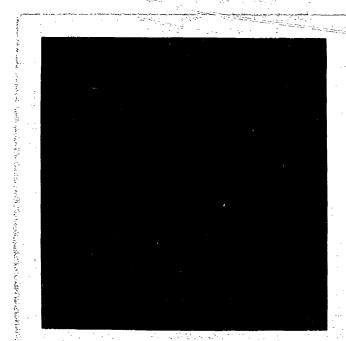
#00-01-Moroney, James
4-1-9.22. Sign on Canopy



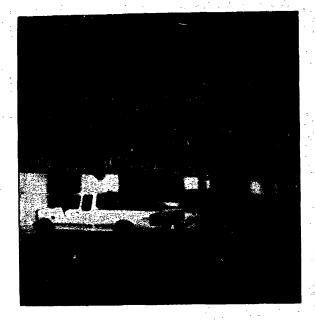
JIM Moroney's Cycle



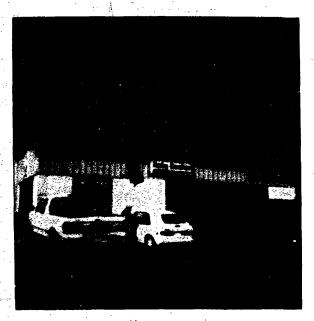
Jim Morowey's Cycle



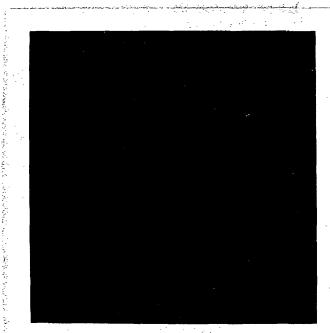
Jim Moraney's Cycle



JIM Moroney's Cycle



Jim Morowey's Cycle



JIM Moraney's Cycle

93-41

		T TIME OF RITH	AGOR APPLICA	(IION)	•
APPLICANT:	Moroney	, James.	_	file# <u>00</u> -	01
RESIDENTIAL INTERPRETA			COMMERCIAL	.: \$150.00	
	REA X		USE		•
APPLICATION	Y FOR VARIA	NCE FEE		\$ 150.00	Pour
*		*	*		#34
ESCROW DEP	OSIT FOR CO	NSULTANT FEE	S	\$ 500.00	217
DISBURSEME	NTS:			升	fore # 34'5
STENOGRAPH	ER CHARGES	8: \$4.50 PER PAG	E		·
3RD PRELIMIN PURI IC HEADI	NARY-PER PA	ER PAGE /24/00- GE . 4/10/00 . 1- GE	\$.\$ 27,00	
		ER MEEETING			
RD PRELIM PUBLIC HEARD	NG	lod Hlid for TOTAL	<u>\$</u>	s _70.00.	·
IISC. CHARGE:		•	•		
	***	TOTAL	\$.s 97.00/	
		LESS ESCROW (ADDL. CHARC REFUND DUE 1	DEPOSIT SES DUE) TO APPLICANT	.\$ \$00.00 .\$ (403.00)	

Date 5/8/2000

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

TO Jin Moroney's Inc. DR.
833 Union Avenue, NW.

DATE		CLAIMED	ALLOWED
5/8/00	Refund of Escrow - #00-01 ZBA.	# 403,00	
7/			
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NEW WINDSOR ZONING BOARD OF APPEALS	
~	

4-1-9.22

In the Matter of the Application of

JIM MORONEY'S INC.

MEMORANDUM OF DECISION GRANTING SIGN AREA VARIANCES

WHEREAS, JIM MORONEY'S, INC., a corporation with an office at 833 Union Avenue, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a variation of Section 48-18H(1) of the Supplemental Sign Regulations to replace the existing signs with awning signs: (1) 1-3.5 ft. by 32 ft. variance; (2) 1-8 ft. by 16 ft. variance; and (3) 1-2.5 ft. by 22 ft. variance for façade signs located at the above premises in a C zone; and

WHEREAS, a public hearing was held on the 10th day of April, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Ray Malley appeared in behalf of applicant; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

- 1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.
 - 2. The evidence presented by the Applicant showed that:
- (a) The property is a commercial property located adjacent to other commercial properties on a busy state highway.
- (b) The Applicant proposes to replace the signs which are presently on the building in connection with a reconstruction of the façade; the Applicant seeks to place new signs on an awning to be constructed on the building.
 - (c) The existing signs on the building permit the requirements of the former sign local

law but when the signs are replaced, they will not meet the requirements of the new Zoning Local Law.

- (d) The new signs will be so placed that they are removed from the road and they do not impose any danger to motorists on the adjacent highway.
 - (f) The signage is consistent with other companies in the area.
 - (g) The sign advertising one manufacturer will be larger than the existing sign but it is the smallest sign available to the Applicant from the dealer.
 - (h) If the application is granted, there will be no substantial change in the façade of the building other than placing an awning, nor will there be any additional freestanding signs.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

- 1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
- 2. There is no other feasible method available to the Applicant which can produce the benefits sought.
- 3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.
- 4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
- 5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
- 6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.
- 7. The requested variances are appropriate and is the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
- 8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for façade sign variances as listed in paragraph one above, at the above location in a C zone.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: June 26, 2000.

Chairma

Town of New Windsor 555 Union Avenue New Windsor, NY 12553 (914) 563-4611

RECEIPT #73-2000

02/08/2000

Jim Maroneys Inc

Received \$ 150.00 for Zoning Board Fees, on 02/08/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen Town Clerk RECEIPT IS HEREBY ACKNOWLEDGED TO JIM MORONEY'S INC. OF \$500.00, ESCROW DEPOSIT PLUS \$150.00 FOR VARIANCE APPLICATION FEE IN CONNECTION WITH APPLICATION FOR VARIANCE FOR SIGN -#00-01

PATRICIA A. BARNHART, ZBA

Date	***************************************	19
Date	************************************	17

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

Frances Roth
168 N. Drury Lane
TO Newburgh; N:Y: 12550 DR.

DATE		CLAIMED	ALLOWED
4/18/10	Misc-2	7500	
	Misc-2		
	Huxel-6 pgs		
	Morasse-4 Molloy-8 Sherman-4 Moraneg 5-3 13.50		
	Molloy - 8		
	Sherman-4		
	Moraneg 5-3 13.50	121 50	
	- 37		
		196 50	

PUBLIC HEARING:

MORONEY'S

MR. TORLEY: Request for variation of Section 48-18H(1) of the Supplemental Sign Regulations to replace existing signs with awning sign on facade of building at Moroney's Cycle, 833 Union Avenue in a C zone.

Mr. Ray Malley appeared before the board for this proposal.

MR. TORLEY: Tell us what you want to do.

MR. MALLEY: Well, we have a sign that are on the store now, we don't want to add any other signs, what we'd like to do is take the existing signs and put them on the awning, I think you guys have a copy of that.

MS. BARNHART: I'm getting those out right now.

MR. MALLEY: One of the signs is required by Harley Davidson, they make us change the signs every five years, it's a 3 x 24 that we have to have on the store anyway.

MR. KRIEGER: Mike Babcock, the old signs met the old ordinance, the new, if he simply replaces them, they wouldn't fit within the new ordinance, is that it?

MR. BABCOCK: Yes.

MS. BARNHART: For the record, we did send out 12 addressed envelopes with the public hearing notice inside and nobody showed up.

MR. TORLEY: So, what you're doing is modernizing and bringing your signs to the new corporate standards, you're not going to increase the signs. Are the overall areas of the signs increasing?

MR. MALLEY: The only difference in the sign is the one that's now required by Harley Davidson, which is this one here.

MR. TORLEY: That's replacing what?

MR. MALLEY: Replacing a sign up on the store like a bar and shield type sign that's no longer.

MR. TORLEY: How big is that sign?

MR. MALLEY: That's got to be 6 X 8, it's a pretty big sign that will come down, it's old.

MR. TORLY: So, he's increasing the actual sign area. And you feel you need a sign of this magnitude for vision from the road?

MR. MALLEY: Yeah, we don't have a choice on that, every dealer has that new 3 x 24 sign.

MR. TORLEY: They don't have a smaller size one?

MR. MALLEY: No, that's it. Again, this is not a sign, this is going to be on the canopy, it's not going to be something that's, it's going to be painted on the canopy.

MR. REIS: The Suzuki sign, is that right on the facade of the building?

MR. MALLEY: Yes, there's a Honda sign right now, there's a Suzuki sign here now, all we're going to do is take the Honda sign down and we're going to make a swap, you know, Honda for Suzuki, that's all, there's no additional signage.

MR. REIS: Internally lit sign, the Suzuki sign?

MR. MALLEY: It is now, yes, the one that's there now, Honda is internally lit.

MR. KANE: The Suzuki is moved over to that?

MR. MALLEY: Yes.

MR. KANE: Is there any lighting with the awning?

MR. MALLEY: There's four rows of fluorescent lights

that will be lit, not all the time, just when the store's open.

MR. KANE: Impose any danger to the passing traffic?

MR. MALLEY: No, its way off the road.

MR. KANE: Signage is consistent with other companies in the area and their signs?

MR. MALLEY: I've got some pictures of the company that does it, it will be like that, you know how they do the sign like that, it will up, also the signs that, coming down that used to have Jim Moroney's Cycle that's falling off by age, so this is going to go on where it used to be Jim Maroney's Cycle Shop, we're going to have that there so basically we're replacing what was already there.

MR. TORLEY: There's an Arctic Cat sign, is that coming down?

MR. MALLEY: No, the Arctic Cat sign stays, that's been there, we're not changing anything there.

MR. TORLEY: So you're shuffling a couple signs and replacing old Harley Davidson with new Harley Davidson?

MR. MALLEY: That's it, not adding anymore.

MR. KANE: And putting it on an awning. Accept a motion? Move that we grant the variance for the, request for variance of the supplemental sign regulations by Moroney's.

MR. REIS: Second it.

ROLL CALL

MR. REIS AYE AYE MR. TORLEY AYE

MR. REIS: I move we adjourn.

OFFICE OF THE BUILDING INSPECTOR TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

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NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: December 13, 1999

APPLICANT: James Maroney

833 Union Avenue

New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 12/21/99

FOR: Jim Maronev's Cycle, New York's Motorcycle Superstore

LOCATED AT: 833 Union Avenue, New Windsor, NY

ZONE: Sec/ Blk/ Lot: 4-1-9.22

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1.48-18 H(1)b Only one façade sign for each business is permitted. Sign is not to exceed 2.5 feet (height) and 10 feet (width)

PERMITTED

PROPOSED OR AVAILABLE:

VARIANCE REQUEST:

ZONE: C

USE: Awning Sign (Façade)

SIGN:

FREESTANDING:

HEIGHT:

WIDTH:

WALL SIGNS: 1-2.5'x 10'

1-3.5' x 32'

1-8' x 16'

1-2.5° x 22°

1-3.5° x 32°

1-8' x 16

1-2.5° x 22°

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

^{,,} - ।७५५

When excavating is complete and footing forms are in place (before pouring.)
 Foundation inspection. Check here for waterproofing and footing drains.
 Inspect gravel base under concrete floors and underslab plumbing.
 When framing, rough plumbing, rough electric and before being covered.

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS IMPORTANT YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

allighters-

5. Insulation.

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction

6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be

completed at this time. Well water test required and engineer's certification letter for septic system re 7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be 8. \$50.00 charge for any site that calls for the inspection twice. 9. Call 24 hours in advance, with permit number, to schedule inspection.	
10. There will be no inspections unless yellow permit card is posted.	FFICE USE ONLY:
 11. Sewer permits must be obtained along with building permits for new houses. 12. Septic permit must be submitted with engineer's drawing and perc test. 	g remite #:
13. Road opening permits must be obtained from Town Clerk's office.14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no	o fee for this.
AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURAN	NCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED	
PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLI	ES TO YOU
Owner of Premises JIM MOTONEY	
Address 833 UNIM ALL Phone	<u> 564-5400</u>
Mailing Address 833 UNIM Able New Windsor N-1	1. 12553
Name of Architect ALWING SYSTEMS PLUS, IUC	
Address 136 BRAKEN Rd, Mostgoresy N. M. Phone 4	57-9222
Name of Contractor AWNING SYSTEM PLUS IN	<i>'</i> <
Name of Contractor AWNING- SYSTEM PLUS IN Address 136 BRACKEN RD. MONTGOMERY N.V. Phone	12547 566-4000
State whether applicant is owner, lessee, agent, architect, engineer or builder	_
If applicant is a corporation, signature of duly authorized officer	
(Name and title of corporate office	er)

1.	On what street is property located? On the WEST side of UNION ALL
	and ANNLY (100' feet from the intersection of 27207 + CNIM ALL
2.	Zone or use district in which premises are situated Is property a flood zone? YN
z 3.	Tax Map Description: Section 4 Elock Lot 7.22
4.	State existing use and occupancy of premises and intended use and occupancy of proposed construction. a. Existing use and occupancy
	Nature of work (check if applicable) New Bldg
7.	. Dimensions of entire new construction. Front Rear Depth Height No. of stories
8	If dwelling, number of dwelling units:Number of dwelling units on each floor
	Number of bedrooms Baths Toilets Heating Plant: Gas Oil
	Electric/Hot Air Hot Water If Garage, number of cars
9	If business, commercial or mixed occupancy, specify nature and extent of each type of use
1	10. Estimated cost Fee

•

12, 10, 99 date

APPLICATION FOR BUILDING PERMIT TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock Asst. Inspectors Frank Lisi & Louis Krychear New Windsor Town Hall 555 Union Avenue New Windsor, New York 12553 (914) 563-4618 (914) 563-4693 FAX	Bldg Insp Examined Fire Insp Examined Approved Disapproved Permit No.
INSTRUCTIONS	

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and Installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

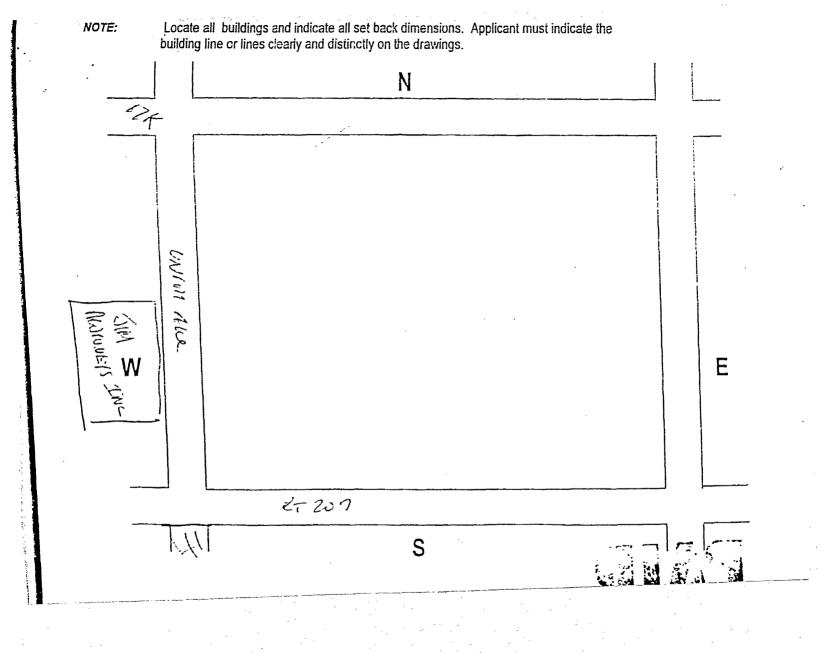
(Signature of Applicant)

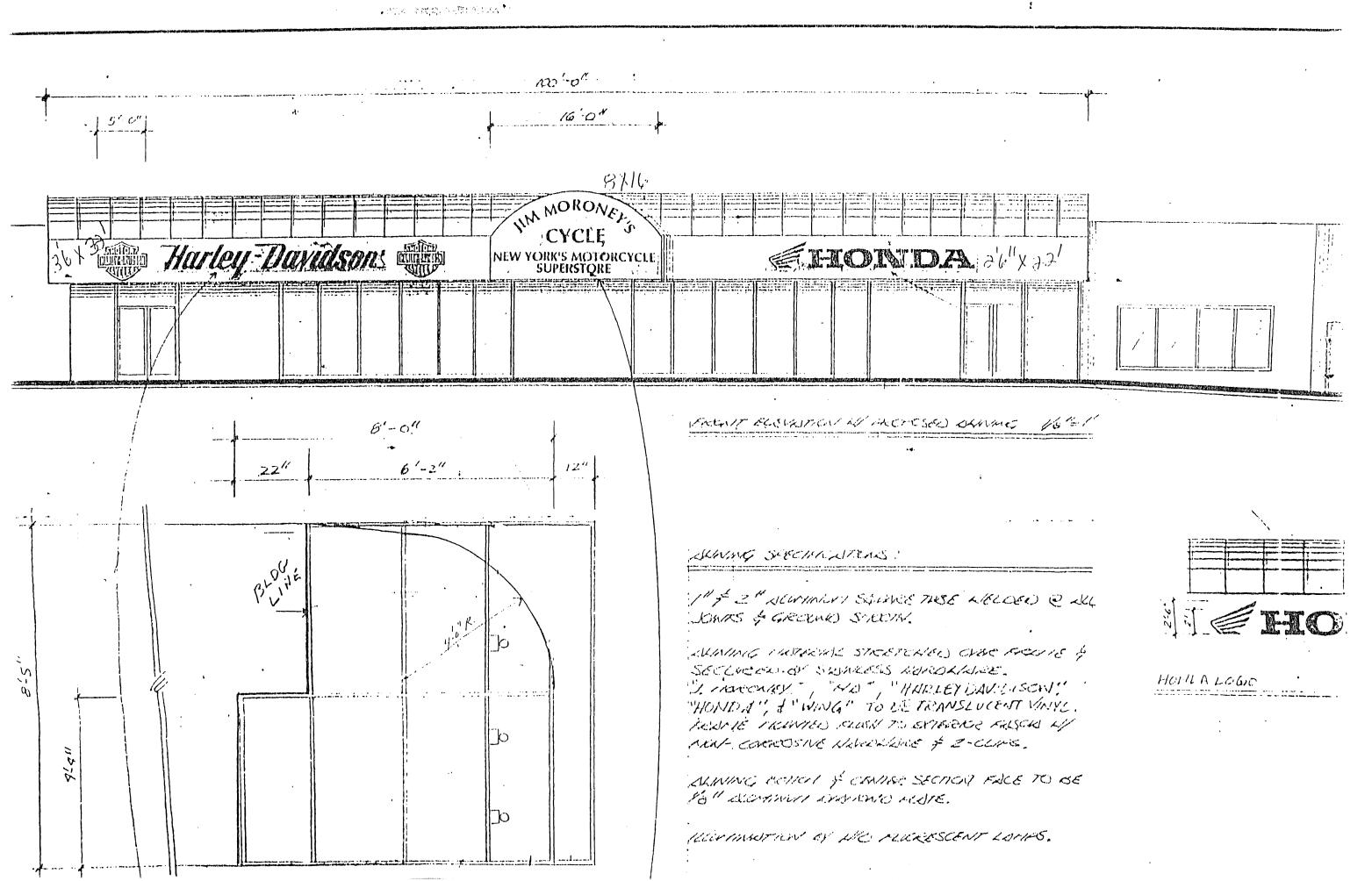
(Address of Applicant)

(Owner's Signature)

(Owner's Address)

PLOT PLAN





COUNTY OF ORANGE:STATE OF NEW YORK	X
In the Matter of the Application for Variance of	AFFIDAVIT OF
Sim Moroney's Inc.	SERVICE BY MAIL
# <u>00-01</u> .	
	_X
STATE OF NEW YORK)) SS.:	
COUNTY OF ORANGE)	
PATRICIA A. CORSETTI, being duly sworn, depos	es and says:
That I am not a party to the action, am over 18 y 7 Franklin Avenue, New Windsor, N. Y. 12553.	rears of age and reside at
That on the Ayi day of Manh, 2000, addressed envelopes containing the Public Hearing Notice with the certified list provided by the Assessor regarding for a variance and I find that the addresses are identical then caused the envelopes to be deposited in a U.S. Depo	te pertinent to this case the above application to the list received. I
Notary P	Corsette Public
Sworn to before me this	
day of, 20	
Notary Public	

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. Ol
Request of Jim Moronoy's Inc.
for a VARIANCE of the Zoning Local Law to Permit:
Awning sign (facede) to replace existing signs
w/ more than the allowable facade signs, height & width
being a VARIANCE of Section 48-18 H(1) Supplemental Sign Regs.
for property situated as follows:
833 Union Avenue, New Windsor, n.y.
known and designated as tax map Section 4, Blk. 1 Lot 9.22
PUBLIC HEARING will take place on the <u>10th</u> day of <u>April</u> , <u>19200</u> at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.
Lames Nugent

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

00-01.

Date: 1-24-00

I. App	licant Information: 933 CANON Also NEW HUNGER (104-5400)
(a) (b)	licant Information: 833 UNIM AVE, NUWWASSR 564-5400 (Name, address and phone of Applicant) (Owner)
(c)	(Name, address and phone of purchaser or lessee)
(d)	(Name, address and phone of attorney)
	(Name, address and phone of contractor/engineer/architect)
II. Ap	plication type:
(_) Use Variance (X) Sign Variance
(
(a (b (c (d (e (f	operty Information: (Zone) (Address) (S B L) (Lot size) (What other zones lie within 500 ft.? Is a pending sale or lease subject to ZBA approval of this application? When was property purchased by present owner? Has property been subdivided previously? Has property been subject of variance previously? If so, when? Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO Is there any outside storage at the property now or is any proposed? Describe in detail:
	Variance. NA
(a)	Use Variance requested from New Windsor Zoning Local Law, Section, Table of Regs., Col, to allow: (Describe proposal)

(b) The legal standard for a hardship. Describe why you feel unless the use variance is granted have made to alleviate the hardship.	innecessary hardsh i. Also set forth	ip will result any efforts you application.
(c) Applicant must fill out a Assessment Form (SEQR) with this a		nvironmental
(d) The property in question County Agricultural District: Yes		within 500 ft. of a
If the answer is Yes, an agricultualong with the application as well within the Agricultural District rlist from the Assessor's Office.	L as the names of a	all property owners
V. Area variance: NB. (a) Area variance requested f Section, Table of	From New Windsor Zo	oning Local Law, egs., Col
Requirements Min. Lot Area Min. Lot Width Reqd. Front Yd.	Proposed or Available	Request
Reqd. Side Yd Reqd. Rear Yd Reqd. Street Frontage*		
Max. Bldg. Hgt. Min. Floor Area* Dev. Coverage* Floor Area Ratio** Parking Area		
* Residential Districts only ** No-residential districts on (b) In making its determination	on, the ZBA shall t	

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

	·	
You	may	attach additional paperwork if more space is needed)
		2 1-8' × 16' 1 × 8' × 16 3 1-2.5" × 22 1-2.5" × 22
	(b)	Describe in detail the sign(s) for which you seek a
	ance	Describe in detail the sign(s) for which you seek a , and set forth your reasons for requiring extra or over si PLASE SEE LOHEL AT
sign	ance,s.	, and set forth your reasons for requiring extra or over si
incl	(c)	what is total area in square feet of all signs on premises signs on windows, face of building, and free-standing signs expretation.

√ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure
that the quality of the zone and neighboring zones is maintained or

foste	ded and that the intent and spirit of the New Windsor Zoning is ered. (Trees, landscaping, curbs, lighting, paving, fencing, ening, sign limitations, utilities, drainage.)
	OVATE COS COLLER
	•
IX.	Attachments required: Copy of referral from Bldg./Zoning Insp. or Planning Bd. Copy of tax map showing adjacent properties. Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy. Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question. Copy(ies) of sign(s) with dimensions and location. Two (2) checks, one in the amount of \$/50,00. and the second check in the amount of \$500.00, each payable to the TOWN OF NEW WINDSOR. Photographs of existing premises from several angles.
	Date: 1/31/00.
COUNT) SS.: TY OF ORANGE)
appli to th under actio	The undersigned applicant, being duly sworn, deposes and states the information, statements and representations contained in this cation are true and accurate to the best of his/her knowledge or me best of his/or information and belief. The applicant further estands and agrees that the Zoning Board of Appeals may take on to rescind any variance granted if the conditions or situation ented herein are materially changed.
Sworn	(Applicant)
जिड़र्	day of January, 19-
XI.	PATRICIA A. BARNHART Notary Public, State of New York No. 018A4904434 Qualified in Orange County Commission Expires August 31, 19, 9001.

(b)	Variance: Granted ()	Denied ()	
(c)	Restrictions or conditions	:	
			•

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

Jim Moroney's Harley-Davidson

833 Union Averiue New Windsor, N.Y. 12553

Phone: (914) 564-5400 Fax: (914) 567-0848



2-1-00

VI SIGN VARIANCE:

(B) REASONS FOR REQUIRING EXTRA OR OVER SIZE SIGNS.

Jim Moroney's would like to address a number of current problems that exist as the reason for requiring this variance.

- 1. (See Photo Attached) Our existing store front sign "Jim Moroney's" was made of wood in the 1970s. It has since rotted and has been removed. Currently on the plastic sign only the word "motorcycle" remains.
- 2. "Harley-Davidson" requires that all of their dealers display their 3'X24" Harley-Davidson signs with their Bar & Shield Logo.
- 3. The "Honda" sign that is now on the building will be removed and replaced on the awning.
- 4. We have been an authorized Suzuki dealer since 1962. The sign we have now is mounted on the south side of the building and cannot be viewed from the highway. A new modern Suzuki sign would replace the "Honda" that is on the front of the store now.
- 5. Most importantly.... is to have our store name "Jim Moroneys Cycle" "New York's Motorcycle Superstore": strategically located in the center.

What we are requesting is <u>not</u> additional signs, but the relocation of our existing signs. The three on our awning will meet current requirements as set by our manufacturers and give our store front a new, modern and exciting look that will be appealing to the eye.

It will allow us to display our vehicles on our sidewalk regardless of weather and offer our customers protection from the weather while entering/exiting the store.

Jim Moroney's Harley-Davidson

833 Union Avenue New Windsor, N.Y. 12553

Phone: (914) 564-5400 Fax: (914) 567-0848



2-1-00

VIII ADDITIONAL COMMENTS:

As mentioned in "VI of Sign Variance" we do believe our variance is substantial and will not have any adverse effect or impact on physical or environmental conditions in our neighborhood.

Jim Moroney Cycles - as well as many other companies in the area - has grown over the past 45 years. Jim Moroney's started with Harley-Davidson and has, over the years, acquired the following franchises: Suzuki-Honda-Yamaha-KTM-Skidoo-and Arctic Cat Snowmobiles.

An addition was added to the building in 1995 to accommodate these brands and this has helped our business grow.

We feel that our dealership has been good for the town of New Windsor, bringing in customers to the area and adding to the tax rolls.

We are only asking for approval to upgrade our store fronts' physical appearance and at the same time meet our manufacturers requirements. This will be completed in a tasteful and eye-catching manner.

We appreciate your time and consideration with this matter.

Sincerely,

Jim Moroney

Town of New Windsor

555 Union Avenue New Windsor, New York 12553 Telephone: (914) 563-4631 Fax: (914) 563-4693

Assessors Office

February 15, 2000

Jim Moroneys Inc. 833 Union Avenue New Windsor, NY 12553

Re: 4-1-9.22

Dear Mr. Malley:

According to our records, the attached list of property owners are within fine hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/lrd

Attachments

CC: Pat Barnhart, ZBA

JOHN F JR., MAUREEN ANNE AND JAMES H O NEILL 101 CHESTNUT DR NEW WINDSOR, NY 12553

MOBIL OIL CORPORATION PROPERTY TAX DEPARTMENT PO BOX 290 DALLAS, TX 75221

ANTHONY M PAVLIK 33 OAK ST. APT. 4 WALDEN, NY 12586 HENRY STELLWAG 470 LITTLE BRITAIN RD NEWBURGH, NY 12550

KEITH E AND ELIZABETH A
REINHOLD
36 SILVER STREAM RD
NEW WINDSOR, NY 12553

EDWARD HILL ENTERPRISES, INC. PO BOX 1012 PORT EWEN, NY 12466

THE TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

UNION AVENUE ENTERPRISES, INC. PO BOX 87 NEWBURGH, NY 12550

THE CITY OF NEWBURGH 83 BROADWAY NEWBURGH, NY 12550

EDWARD LEON GOLDIN C/O DAVID GOLDIN & SON BOX 87 NEWBURGH, NY 12550

FENELON PROP. INC. 600 RT 46 CLIFTON , NJ 07015



INHALATION THERAPY CO INC. 600 RT 46 CLIFTON, NJ 07015 CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the hard day of Orthologo, nineteen hundred and seventy-one BETWEEN HAROLD ADAMS, residing at Highland Avenue (no number), Maybrook, New York,

party of the first part, and JAMES MARONEY, residing at R.F.D. #1, Drury Lane, Rock Tavern, New York,

WITNESSETH, that the party of the first part, in consideration of TEN & 00/100

successors and assigns of the party of the second part forever,

party of the second part,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, and being more accurately bounded and described as follows:

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or

longing to the Town of New Windsor, said point of beginning also bein located 500 feet southerly, as measured along the westerly line of Union Avenue, from the northeast corner of lands conveyed by Zaklasni to Patsalos on the westerly side of Union Avenue by deed recorded in the Orange County Clerk's Office in Liber 1735 of Deeds at Page 869; thence from said point of beginning and through lands of Patsalos, North 60° 55' 45" West 217.96 feet to a point in the easterly line of the N.Y.S. Thruway; thence along the easterly line of the N.Y.S. Thruway, on the next two courses and distances, North 20° 18' 25" East 100.10 feet to a concrete monument: thence North 20° 03' 55" East 103.30 feet to a point; thence through lands now or formerly of James Patsalos, South 60° 42' 30" East 249,93 feet to a point in

BEGINNING at a point on the westerly side of Union Avenue, said point of beginning being located 500 feet southerly, as measured along the westerly line of Union Avenue, from the southeast corner of lands be-

the westerly line of Union Avenue; thence along the westerly line of Union Avenue, on the remaining courses and distances, South 29° 17' 30" West 135,42 feet to an angle point; thence South 29° 04' 15"

Containing 1.08 acres more or less. EXCEPTING from the above so much as was conveyed to the N.Y.S.

Thruway Authority and to the Town of New Windsor or County of Orange for highway purposes. SUBJECT to such state of facts as an accurate survey and personal

inspection may reveal provided same does not render title unmarketabl BEING a portion of the lands conveyed to James Z. Patsalos by Frank A Zakary, Horace L. Zakary, Walter G. Zakary and Robert F. Zakary by deed dated December 27, 1965 and recorded in the Orange County Clerk'

office on January 27, 1966 in Liber 1735 of Deeds at Page 869.

BEING the same premises described in a deed dated June 10, 1969 made by James Z. Patsalos to Harold Adams, recorded in the Orange County Clerk's office on June 23, 1969 in Liber 1822 of Deeds at page 1051.

118551888 --1045

West 64.58 feet to the point of beginning.

request for 36 ft. Front, 20 ft. Side yard and 31 ft. 8 in. Max. Building height, and sign variance for two facade signs located On w/s union avenue at wal-mart entrance in c zone.

ROSCINO/GUARDIAN SELF STORAGE 4-1-4

AREA (FENCE)

GRANTED 05/24/99

N/S Square Hill Road

#99-15

C zone

Request for variance to allow 8 ft. fence for a self-storage operation on n/s Square Hill Road in a C

4-1-5.2 NEUMETZGER, LOTHAR

zone.

SIGN VARIANCE

GRANTED

ARNOFF MOVING & STORAGE C ZONE

#91-18

08/12/91

Request for 300 s.f. sign area for building sign on liner road in a c zone for Arnoff Moving & Storage. Also, request for construction of accessory warehouse with Insufficient front yard by 60 ft., 25 ft. Sideyard and 23.45 ft. Building height which was Granted on 11/14/83 under zba file #83-56.

4-1-5.1 & 5.2 L&M PROPERTIES LLC (STEWART LINER)

Request for 0.5 ft. Side yard and 16.2 ft. Max. Bldg. Height to construct addition of 5,000 s.f. to existing warehouse located on n/s of Liner road in c zone. Area variances granted.

4-1-9.1 GOLDIN, EDWARD LEON

AREA VARIANCES

GRANTED

WEST SIDE-UNION AVENUE/OLI ZONE

AREA/SIDE YARD 7/20no

CONSTRUCTION OF OFFICE/PROFESSIONAL BUILDING. WIDTH #70-11

4-1-9.21 ZETA HOLDING CORP. USE/AREA/SIGN VARIANCES SPLIT DEC.

UNION AVENUE/RT. 300 #84-15 OLI

11/26/84

Request for 72 ft. Front yard; 2.41 acres area; 8 ft. Height and use variances in order to construct restaurant and health club in oli zone. Denies sign portion of application. Approved balance of request.

4-1-9.22 MORONEY, JAMES

AREA/USE

VARIANCES GRANTED: 11/15/73

UNION AVE.(MORONEY'S CYCLE) #73-2 CONST. OF CYCLE SHOP/SALE & REPAIR

4-1-9.22 MORONEY, JAMES

AREA VARIANCE

GRANTED: 03/11/85

813 UNION AVENUE (#85-8)

OLI ZONE

Request for 2 ft. Front yard, 95 ft./42 ft. Side yard, 12 ft. Maximum building height and .06% floor area ratio in order to allow construction of an addition to motorcycle shop in OLI zone.

4-1-9.22 MORONEY, JAMES

AREA/SIGN VARIANCES

GRANTED: 10/25/93

813 UNION AVENUE

C ZONE

(#93-41)

Request for 26 ft. Side yard, 44 ft. Total side yard, 15.75 maximum building height, 36 parking spaces, 60 s.f. sign area for freestanding sign, 98 s.f. sign area for wall sign, one freestanding sign to allow a total of two freestanding signs in a zone where only one freestanding sign is permitted, and five wall signs to allow a total of six wall signs in a zone where only one wall sign is permitted in order to construct two additions to Moroney's Cycle Shop at the 813 Union Avenue location in a C zone.

4-1-9.242 MOBIL OIL CORP.

4-1-9.242 MOBIL OIL CORP.

VARIANCE

GRANTED

RT. 207/UNION AVE. #72-5

316n2

FRONT YARD/REAR YARD/CONDITIONAL USE

VARIANCE

GRANTED

RT. 207AJNION AVENUE #72-11 511qn2

CONDITIONAL USE-CONST. OF AUTO. SERVICE STATION

PUBLIC NOTICE OF HEARING ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Chairman	
PUBLIC HEARING will take place on the day of New Windsor Town Hall, 555 Union Avenue, New Windsor, Ne o'clock P.M.	
known and designated as tax map Section, Blk Lo	ot 4-1-9.22
833 UNION AVE, NEW WINDOR, N.Y.	
for property situated as follows:	
being a VARIANCE of Section 48-18 H(1)	·
PROM BUILDING TO AWNING	•
AWNING SIGN (FACAde) (MOUNG	EVISING SIGNS
for a VARIANCE of the Zoning Local Law to Permit:	
Request of JIM MOYONEY'S INC	
Appeal No. #00-0/	

Town of New Windsor 555 Union Avenue New Windsor, NY 12553 (914) 563-4611

RECEIPT #81-2000

02/10/2000

Inc., Jim Moroney's

Received \$ 25.00 for Assessors List, on 02/10/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen Town Clerk

Date 1/26/00 , 19

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

TO.	DR.
	Frances Roth DR.
	168 N. Drury Lang
	Newburgh N. Lang
-	"3"4 W.Y. 12550

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PRELIMINARY MEETING

MORONEY, JAMES

MR. NUGENT: Request for facade awning sign variances as follows: (1) 3.5 ft. x 32 ft. (2) 8 ft. x 16 ft. and (3) 2.5 ft. x 22 ft. for motorcycle shop at 833 Union Avenue in a C zone.

Mr. Ray Malley appeared before the board for this proposal.

MR. MALLEY: Do you want to see the plans?

MR. NUGENT: I think we have a copy of them, don't we?

The existing sign that was up that said MR. MALLEY: Jim Maroney Cycle was put up in the 1970's when they built it, it has fallen down, wood is old. What we're trying do, the plans that we have there is an awning, that will give not only just for the signage but give the whole front of the store a new and much more modern look with a neon lighting in the background. the fire retardant stuff to your building inspector back when because that was one of the concerns about the firemen coming in, so they received that. two signs right now, like I said, there's no sign that we have indicating that it's even Jim Moroney's motorcycle Shop, there's nothing that indicates that it has a different manufacturer, like Honda, Yamaha, Skidoo and Harley Davidson who requires us to have a certain sign which is 3 x 24 which we don't have now. What we have up there will be taken down, it's old and We just want to update the front of the store and let people know that it's Jim Moroney's Cycle with an awning to give the whole store front a nice, new look. We have that drawing that Harley Davidson sign where it says to the left that's basically one of the requirements to be a Harley Davidson dealership by the manufacturer itself, we have been under the gun for three or four years to either have a sign put up or this has been approved to be done like a silk screen on the awning, they'll approve that, where it says Jim Moroney Cycle, used to be on the back of the building Jim Moroney's Motorcycle Center that, actually, Jim

Moroney's part has fallen off, we'll take the motorcycle off, that's all it says and replace it with that. Then, of course, Honda, just to offset the Harley Davidson on the right side there's a Honda sign right now we can remove that so we don't have double signage, if this is approved, just give the whole store a nice, new look.

MR. NUGENT: But these three variances that you're looking for, Mike, correct me if I'm wrong, are strictly for the awning on the front of the building?

MR. BABCOCK: That's correct.

MR. NUGENT: No freestanding signs?

MR. MALLEY: There's not a freestanding sign anywhere.

MR. NUGENT: Okay, just for the awning?

MR. MALLEY: Yes.

MR. TORLEY: You said something about neon lighting?

MR. MALLEY: Not neon, there's two rows of like fluorescent lights on the inside of the awning so at night, this will sort of like light up so you can see what it is, I can show you some pictures.

MR. BABCOCK: We squared off the Honda sign by the height and the width individually and squared off the Jim Moroney Cycle sign and squared it off for the benefit of the applicant because you talk about the awning being a sign, which is some--

MR. TORLEY: Hundred feet.

MR. BABCOCK: Yes, it's a hundred feet long.

MR. TORLEY: And the code would permit him one sign of what?

MR. BABCOCK: Two and a half by ten.

MR. NUGENT: He actually has two store fronts there.

MR. MALLEY: Yes.

MR. NUGENT: He has Honda side and has the Harley side.

MR. BABCOCK: Well, the code doesn't specifically say store front, each business.

MR. NUGENT: He has two stores.

MR. BABCOCK: Each business is allowed one sign, that's why we wrote it up this way, he has a separate business, he has Harley Davidson and Honda business.

MR. NUGENT: And they have separate entrances.

MR. BABCOCK: We look at it as one building and one business.

MR. NUGENT: Okay, anymore questions by the board? If not, I'll accept a motion.

MR. TORLEY: I move that we set Mr. Moroney for a public hearing for his requested sign variances.

MR. REIS: Second it.

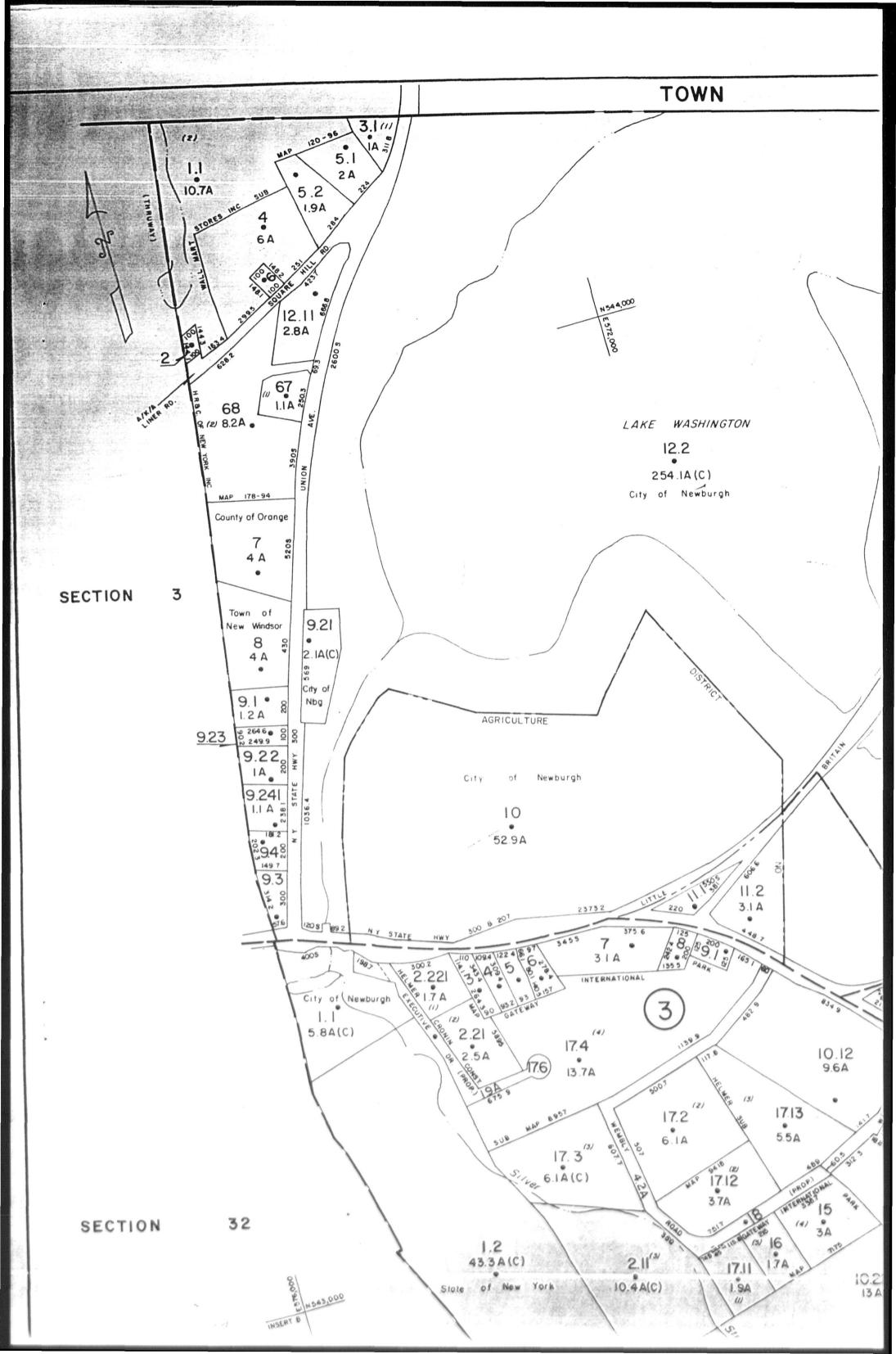
ROLL CALL

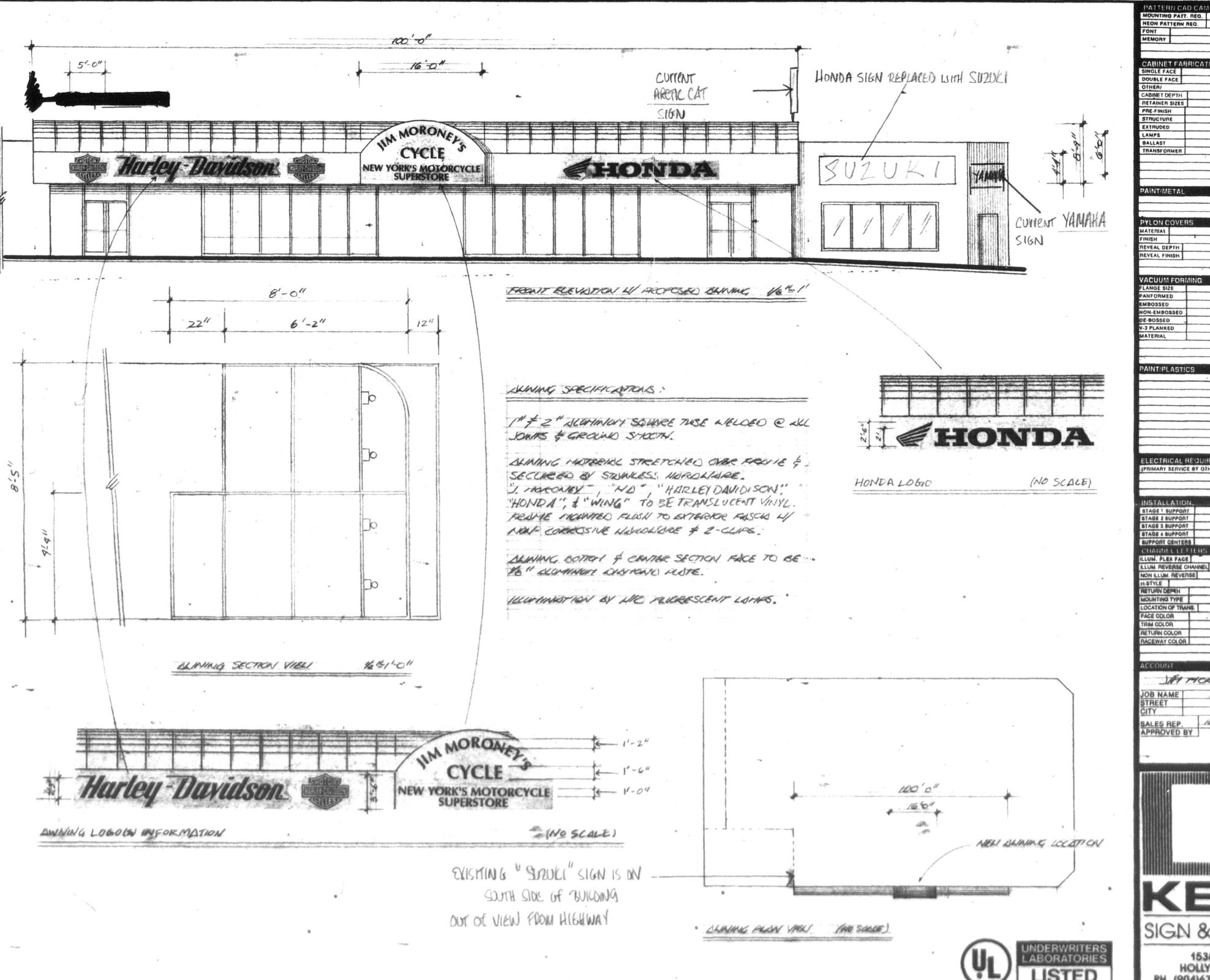
MR. REIS AYE
MR. TORLEY AYE
MR. NUGENT AYE

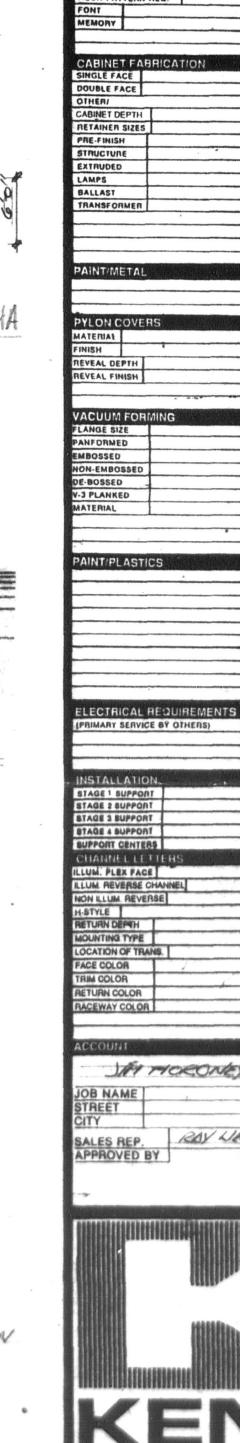
MR. NUGENT: You have been granted a public hearing, now you have to fill out the paperwork, follow the instructions, get it back to Pat and she'll set you up for a public hearing.

MR. KRIEGER: If you would take that sheet there right here, those are the criteria on which the Zoning Board of Appeals must decide by state law. So, if you would address yourself to those criteria in making your presentation, that would be helpful.

MR. MALLEY: Thank you very much.







KENCO CERTIFICATION NO. E121393

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NO. OF SETS

SINGLE STROKE DOUBLE STROKE COLOR DIAMETER

MATERIAL THICKNES

COLOR

MOUNT

MATERIAL

COLORS

SINGLE FACE

DOUBLE FACE

HAND LETTERING VINYL GRAPHICS SILK SCREEN

INSTALLATION

TYPE OF AWNIE

BACK LIT

PROJECTION

CLEARANCE

SCREW ON INYL SOURCE CANVAS SOURCE WT. 8, COLOR NUMBER

TUFF TUBE SIZE GATOR SHIELD ALIMINUM

LETTER STYLE COTCHCAL COLOR

PAINTED COLOR

DESIGN INFORMAT

DESIGN NUMBER

ERADICATED

GRAPHICS SQUARE FOOT ALLOWED ETTER HÉIGHT

PAINTED

COVER